

Probation Services Task Force Draft Final Report

Comment Chart

Name	Organization	On Behalf of a Group	Check Box	Comment	Response
David E. Janssen	County of Los Angeles, Chief Administrative Office	X		In general we concur with the 17 Probation Services Task Force recommendations included in the draft final report. Also, in accordance with principle 1, we feel that authority over and responsibility for the conduct, support, funding, oversight, and administration of probation services, including the appointment of the chief probation officer, must be connected and should remain with the counties. Although it may be determined that modification of certain areas in the delivery of probation services may improve the process, we believe that a collaborative effort of probation service delivery in Los Angeles County continues to exist with our court.	No response necessary.
Susan S. Muranishi	County of Alameda	X		The county of Alameda concurs with the findings and recommendations presented in this report, and greatly appreciates the leadership of the task force on these matters.	No response necessary.
Steve Cooley Peter Bozanich	Los Angeles County District Attorney's Office			Members of this office have reviewed the draft report. I agree with the finding that "the status quo in the probation system is not acceptable." The draft report is well intentioned and thoughtful. Thank you for your efforts and best wishes in implementing the proposed reforms.	No response necessary.
Joseph S. Warchol, II	El Dorado County Probation Department		Do not agree	I do not agree with principle 1. The concept is flawed in assuming that funding of probation services and appointment of the CPO must be connected. Much like the sheriff, for example, their election and funding are not connected, yet they appear to handle their responsibilities without any conflict. I believe that connecting the funding of probation and the appointing authority would actually inhibit the CPO from advocating for additional funds for probation services when needed. In counties where chief probation officers are appointed by the courts, it is the relationships between courts and the CPO that helps to balance programs and resources.	Disagree. The five fundamental principles were developed by the task force to serve as guiding principles for its work. The task force believes fundamental principle 1 is necessary for improved probation services.
Joseph S. Warchol, II	El Dorado County Probation Department		Do not agree	However, no matter what view is taken regarding the report, it would appear that state's new direction taken toward realignment is in direct conflict with the recommendations and principles of the task force.	While budget discussions for fiscal year 2003–04 have included consideration of realignment from the state to counties of (1) juvenile correction functions and (2) certain adult parole functions, these proposals have not been adopted and do not appear in the Governor's spending plan revised in May 2003.

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Joseph S. Warchol, II	El Dorado County Probation Department		Do not agree	<p>I have serious concern related to the following: Rec. #2: I believe the courts should continue to provide the appointment and supervision of the CPO.</p> <p>I am also very concerned that the state's plan of realignment conflicts with your report.</p>	<p>No response necessary.</p> <p>The state's current realignment plan does not contain correctional components, and none of its current elements appear to conflict with the proposals being advanced by the task force.</p>
Joseph S. Warchol, II	El Dorado County Probation Department		Do not agree	<p>I have serious concern related to the following: Rec. #12: Workload standards have not worked thus far. Presently the field of probation absorbs additional work as it grows. Our standards suggest sufficient staff and flexibility to meet our mandates. Caseload numbers work for state parole and federal probation services, which is the only real standard that ensures consistency.</p>	Disagree. The task force believes the recommendation is necessary to improve probation services.
Joseph S. Warchol, II	El Dorado County Probation Department		Do not agree	<p>I have serious concern related to the following: Rec. #16: There is no reason to change the name of probation, as a change would serve no purpose. Our lack of status is only aggravated by the fact that probation is an invisible partner to the many agencies expecting and receiving our services.</p>	Agree. The task force recommends a change to the name of probation only if probation moves toward a community-centered focus.
Joseph S. Warchol, II	El Dorado County Probation Department		Do not agree	<p>I have serious concern related to the following: Rec. #17: I would prefer to keep the Probation Services Task Force as a group to address a long-term plan. However, until the issue of realignment is resolved, there will be no purpose for such a body to exist.</p>	The task force was created by CSAC and the Judicial Council as a limited-term task force to address a specific charge. The task force ends June 2003. While the task force recommends that much of its work continue, it cannot extend its own term.

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Raymond J. Davilla, Jr. Eugene M. Hyman Edward J. Davilla	Superior Court of California, County of Santa Clara		Agree if modified	We are in disagreement with principle 1. Our concern is the selection and appointment process of the chief probation officer. In Santa Clara County, the superior court selects the chief probation officer with input from the juvenile justice commission. The probation department is vital to the accountability and rehabilitation of our wards and other juveniles who use various diversion and non-ward status programs. Currently the probation department is responsive to our requests and needs. We are concerned that this may be diluted or lost if the chief is selected in a manner that eliminates the court from the selection process. We are not opposed to expanding the selection process to include the opinions of the board of supervisors; however, the court should continue to make the ultimate selection and the chief probation officer should report to the court. Similarly we are concerned about recommendation 2 for the reasons just stated. We share immediate past-presiding-judge Richard C. Turrone's comments, which have previously been communicated to you. He has addressed our concerns in greater detail. It is important to note that we are in agreement with the majority of opinions listed in the final report. Our comments represent our personal views. We are not writing as representatives of the court.	Disagree. The five fundamental principles were developed by the task force to serve as guiding principles for its work. The task force believes fundamental principle 1 is necessary for improved probation services.
Grover Trask	Office of the District Attorney, County of Riverside			The Riverside County District Attorney's Office makes the following comments and concerns: The adult probation services should be administered exclusively by the courts and all juvenile matters should be administered in a separate department. (See, for example, Pages 5, 6)	Disagree. The task force developed five fundamental principles to serve as guiding principles for its work. It is the belief of the task force that adult and juvenile probation should be connected.
Grover Trask	Office of the District Attorney, County of Riverside			The Riverside County District Attorney's Office makes the following comments and concerns: We are in agreement that there are not enough probation officers, in Riverside County at least, to provide the services needed. More resources should go to adult probation because as you will note statewide only 23% of probationers are juveniles and yet something like 70% of the financial resources are spent on the juveniles.	No response necessary.

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Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>The selection process of the chief probation officers needs reforming. Although the task force on page 39 says the survey indicated the CPO appointment process worked well, in other comments throughout the report it indicates otherwise and our own experience from Riverside County underscores the fact. On page 72 the task force talks about an interim model discussing pros and cons of the appointment process regarding CPOs. It is my opinion that the chief probation officer should be selected by the judiciary as long as the funding is by the state. The CPO disagrees that there be a unanimous agreement required for appointment of the chief probation officer.</p>	No response necessary.
Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Funding—See pages 68–69: We agree that the status quo is not acceptable and there needs to be a new structure. On page 70 it is noted that it is possible to consider using trial court funding as a model and to transfer the source of funding to the state. This appears to be a reasonable model.</p>	No response necessary.
Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Caseloads—"Banking": The age-old split as to whether probation is more effective if its primary role is that of helping and counseling or supervising and enforcing law enforcement and monitoring. I personally believe that the counseling/helping model has not been effective. The funds should go toward a more structured law enforcement approach called "community corrections."</p>	No response necessary.
Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>The solutions generally call for more money and new standard procedures in which to judge probation caseloads and accomplishments. This is a shorthand for establishing procedures to reduce the workload of the probation officers.</p>	No response necessary.

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Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Rec. 4 calls for clearly drawn mission statements, which are annually reviewed. Please note that, once again, there are no new approaches to the problem except to suggest that more money be allocated.</p>	No response necessary.
Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Rec. 5 calls for measurable outcomes in developing goals and objectives. It is a good idea, but useless unless they are given more funding.</p>	No response necessary.
Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>The report lists numerous recommendations starting on page 8 which are mentioned throughout. Many of these are typical report language ideas that would be obvious to most people even if the task force had never met. They do not provide much guidance when helping to reform the probation department.</p>	No response necessary.
Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Because of competitive contracts and demands between the board of supervisors (the funding source for probation) I believe what is called for is a division of responsibilities of probation's duties. The legislative judicial council should consider establishment of two independent departments. One department would take care of the court-related issues, and the other department would deal with juvenile incarceration and juvenile justice. The funding for both should be bifurcated. The state should fund all court-related matters and the county should be responsible for all local juvenile incarcerations. The court should have complete authority over matters related to the probation department not dependent on the local board of supervisors funding and supervising.</p>	Disagree. The task force considered various alternatives for the long-term governance of probation and concluded that adult and juvenile probation should be connected. Refer to fundamental principle 5.

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Grover Trask	Office of the District Attorney, County of Riverside			<p>The Riverside County District Attorney's Office makes the following comments and concerns:</p> <p>Finally, I would also like to note that the task force was made up primarily of judges, probation officers, and county supervisors with no district attorneys or other law enforcement personnel involved.</p>	Disagree. The composition of the task force was set to allow representation by the core stakeholders while keeping the group at an appropriate number given the short time span necessary to complete the broad charge. The task force considered inviting other stakeholders, including district attorneys, to participate in its meeting. After lengthy discussion, the task force determined that the best method for completing the charge while receiving stakeholder input was to keep the established task force composition but to conduct extensive outreach, including (1) holding public meetings and hosting a public Web site, (2) surveying interested parties, (3) holding roundtable discussions. Through these efforts, the task force received stakeholder input when maintaining a manageable size.
Ray W. Miller	San Bernardino County			<p>I found your consolidation of law that affects Probation to be very helpful. What it tells me is that Probation has essentially two mandates. Both these seem to identify Probation's function to be the eyes and ears of the Court.</p> <p>1) Probation investigates the cases, and provides information and recommendations to the Court.</p> <p>2) Probation supervises the probationer, and reports to the Court.</p> <p>All other "SERVICES" are discretionary. That is, they are not Mandated. If we are looking for "collaboration/partnerships" between Probation at the State Level, and the County at the Community Level, we need to identify the division of responsibility. That seems to be that the County is responsible for providing the "SERVICES" and Probation recommends the use of these services to the Court. The Collaboration takes place through the identification of the services needed within the community. This allows the State/Court to do their job, and the County to do theirs.</p> <p>Probation should provide no specific services to the Community, other than supervising the probationers. Being the eyes and ears of the Court focuses the effort of Probation. The Communities are responsible for the specific needs of their people, whether they are in the Justice System, or not. Whether it is providing Care, Prevention or Rehabilitation services, they all look pretty much alike.</p>	No response necessary.